p10

G. R. S. IX-5]

Previous references.

File No. 105-18

1918.

Serial Nos. 102

(police)

Later references.

prC 105-18(3)

Pursue

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 102

Part B for January 1919

SUBJECT.

preventing people in the B'lore City from flying the Union Jack on their motor cars.

SC2) To, The I. G of police

No G 13032 d/ 2-1-1919

Requests to issue a circular prohibiting the above in the State.

H. E. Ellis
5/11/919

W D 69—GPB—50,000—21-7-16

G. R. S. III—1] 1918.

GENERAL AND REVENUE SECRETARIAT.

(Police)

NOTES.

File No. 105-18

FILE HEADING.

Preventing people in the Bangalore City from flying the Union Jack on their motor cars.

From

The D. G. of Police

No. 2831/213 Dated 30.10.1918 Received 6.11.18

Diary No. 5991	Enclos. 1	Spare Copies. —	Serial No.

BRIEF ABSTRACT OF LETTER.

Forwards for orders correspondence between himself & the Supdt of Police, CVM station regarding the above.

NOTES AND ORDERS.

The miniature Union Jack flag has been allowed to fly on the British Resident's motor car in view to its being readily distinguished from other passing cars by guards & sentries. People in the city have to be warned

NOTES—First Sheet.

WD 1232--GPB—20,000—18-11-18

G. R. S. III-2]

(2

General and Revenue Secretariat.

Police File No. 105 of 1918.

Serial No.

from using that distinguishing mark of the Resident's car.

Submitted for orders.

12/11

Please put up the Motor Vehicles Regulations & Rules framed thereunder & Notification issued.

Regulations, Rules & Notifications are put up.

20/11

29/11

It is easy to issue an order but it will be difficult to enforce it without legal Sanction. There is no provision of law under which such an order could be issued.

Forwarded most officially with compliments to the Government for orders for favour of opinion whether any such order as that proposed may be validly legally issued by Govt.

By order

Forwarding Officer

29/11

H.O. 27

H.O. 36
9.12.18

Under Jaeks Can by the Law of England be used both on the legs & on tyres & their use is regulated by Statute. Unless authorised by warrant from

NOTE—Contn. sheet.

Serial No.

the crown or from the admiralty. Ships or boats belonging to any British subject are prohibited from flying the Union Jack Except with a white border which differentiates it from the Colour used by H.M's ships. The admiralty Division has a Statutory jurisdiction to impose fines for the improper use of the British National Colours on private Ships. There is however no Statutory prohibition to the Union Jack being flown on land by every citizen in the Empire.

I am not aware of any act in British India prohibiting the use of Union Jacks on motor vehicles by private citizens. There is nothing in the Mysore Motor Vehicles Regulation or in the rules framed thereunder making the use of it illegal. The use of it not being prima facie illegal disobedience to any order prohibiting such use cannot be made legally

NOTE—Contn. sheet.

ND 1263—GPS—60,000—1-12-16—S.

G. R. S. III-2]

General and Revenue Secretariat.

Police File No. 105 of 1918.

Serial No.

17 61

punishable. The Enforcement of the rule if issued must be left more to Executive Control & rather than to any Sanction of the law. It is however very unlikely that the order will be disobeyed or its legality questioned since the matter is one Concerning the free use of the Imperial national Colours.

E. 12-18.

Secretary

Draft.

Submitted with draft as resolved

Draft is submitted for approval. It is based on the opinion of the Govt. Advocate.

Second Member

Draft approved

18-12-18

Issue

21-12-18

2403 17/12

NOTE—Contn. sheet.

5991

G. R. S. III-2]

General and Revenue Secretariat. | P&C File No. 105 of 1918.

Serial No.	
2	To The S.P.'s Police No 913032 dt. 2-1-1919 Request to issue a circular pro-hibiting the owners and drivers of all motor vehicles registered in the State to fly the union Jacks on their Vehicles

B
ARIAT
6 JAN 1919

NOTE—Contn. sheet.

WD A 1789—GPB—60,000—20-3-19—S.

No. 2831/213 Office of the Inspr-Genl of Police in Mysore,

Dated Bangalore, the 30th October 1918.

From

Mir Hamza Husein, Esqr., B.A. B.L.,

Offg. Inspector General of Police in Mysore.

To

C. S. Balasundaram Iyer, Esqr., B.A.,

Chief Secretary to the Government of

His Highness the Maharaja of Mysore.

Sir,

I have the honour to forward herewith for the orders of the Government, copies of the marginally noted correspondence between the Superintendent of Police, Civil and Military Station, Bangalore, and this office, re arrangements to be made in the Bangalore City to stop people from flying a miniature Union Jack on their motor cars as the same is used as a distinguishing mark on the Hon'ble the Resident's Car.

1. Letter No.7248 dated 6-9-18 from the Superintendent of Police, Civil and Military Station, Bangalore.
2. This office letter No.2170/324 dated 21-9-18 to the said officer.
3. Letter No.7966 dated 1-10-18 from the Superindent of Police, Civil and Military Station.

I have the honour to be,

Sir,

Your most obedient servant,

Mir Hamza Husein

Offg. Inspector General of Police.

Letter No. 7248 dated 6th September 1918 from the Superintendent of Police, Civil and Military station, Bangalore, to the Inspector, General of Police in Mysore, Bangalore.

I have the honor to state that in order to ensure guards and sentries recognizing the Resident's car when he is inside it, arrangements have been made at the instance of the Military authorities to fly a miniature Union Jack thereon. I should be obliged if you will be good enough to have steps taken to stop others from flying the Union Jack on their cars.

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2. This office letter No.2170/Mis.324 dated 21st September 1918, to the Superintendent of Police, Civil and Military Station, Bangalore

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With reference to your letter No. 7248dated 6th September 1918 stating that in order to ensure guards and sentries recognizing the Resident's car when he is in it, arrangements have been made at the instance of the Military authorities to fly a miniature Union Jack thereon and requesting that steps may be taken to stop others from flying the Union Jack, on their cars; I have the honor to state that from your letter it is clear that steps have been taken in the Cantonement to prevent the people from using the miniature Flag.How this has been done whether by warning people by a notification or by beat of tom tom, may be kindly intimated. A copy of the notification if any, may be kindly sent.

Letter No. 7966 dated 1-10-1918 from the Superintendent of Police Civil and Military station, Bangalore, to the Inspector General of Police in Mysore, Bangalore.

....

With reference to your letter No. 2170/Mis.324 dated 16/21-9-18 I have the honor to state that no cars flying a miniature Union Jack have been noticed in the Civil and Military Station. No notification has been made on the subject.

"COPIES"

Offg. Inspector General of Police.

G. R. S. VI—G/32]

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SUBJECT.....

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Diary No. of letter replied to.....5991.....

GENERAL AND REVENUE SECRETARIAT,
( )
, *the* 191 .

Date of issue.....2.1.19.....

Signed by.....

Section Pol
File No. 105-18
Serial No. 2

No. 613032

To

The I.G. Police

With reference to your letter no 283/213 & 30.10/4.11 918 forwarding for orders Correspondence between yourself and the Supdt of Police C & M stating regarding the use of miniature Union Jacks on their motor Cars by the people of Bangalore city, I am directed to state that Govt are not aware of any act in British India prohibiting the use of Union Jacks on motor vehicles by private citizens, that there is nothing in the Mysore motor vehicles Regulation

over.

or in the rules framed thereunder making the

10

use of it illegal and that the use of it not being prima facie illegal, disobedience to any order prohibiting such use can not be made legally punishable.

I am to add that the enforcement of the rule, if issued, must be left more to Executive Control rather than to any Enactment of the Law and that it is however unlikely that the Order will be disobeyed or its legality questioned, since the matter is one concerning the free use of the highways

by His Majesty's Colonial Subjects.

A circular may accordingly be issued to the Police ~~for the purpose directing them to~~ regarding owners & drivers of all registered in the State motor vehicles, ~~and~~ to prevent people from using ~~motor cars~~ vehicles, ~~and~~ plus the Union Jack on their ~~without~~ ~~any~~ compulsory process licence for ~~and~~ vehicles. ~~to~~ use their vehicles by understanding with the British authorities.

I have etc

Governor

List of enclosure

18.12.15

B.7
16/12

Copied by

Examined by

WD 86—GPB—60,000—15-11-16